UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

JOHN DOE, an individual,

Plaintiff,

VS.

UNIVERSITY OF MICHIGAN (as to Title IX violations), **BOARD OF REGENTS OF** THE UNIVERSITY OF MICHIGAN, a constitutional corporate body (as to Title IX & ELCRA violations), PAMELA HEATLIE, ROBERT SELLERS, MARTIN PHILBERT, ERIK WESSEL, LAURA BLAKE JONES, E. ROYSTER HARPER, SUZANNE MCFADDEN, and PAUL **ROBINSON**, employees of the University of Michigan, sued in his or her personal and official capacities, jointly and severally,

Defendants.

Case No.: 18-cv-11776 Hon. Arthur J. Tarnow Mag. Elizabeth A. Stafford

> PLAINTIFF'S NOTICE OF **CROSS-APPEAL**

DEBORAH GORDON LAW Deborah L. Gordon (P27058) Elizabeth A. Marzotto Taylor (P82061) Attorneys for Plaintiff 33 Bloomfield Hills Parkway, Suite 220

Bloomfield Hills, Michigan 48304 (248) 258-2500 dgordon@deborahgordonlaw.com

emarzottotaylor@deborahgordonlaw.com

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

Brian M. Schwartz (P69018)

Attorney for Defendants 150 West Jefferson, Suite 2500 Detroit, Michigan 48226 (313) 963-6420 schwartzb@millercanfield.com

SAUL EWING ARNSTEIN & **LEHR LLP** Joshua W.B. Richards Amy L. Piccola

Attorneys for Defendants 1500 Market Street, 38th Floor Philadelphia, Pennsylvania 19102 (215) 972-7737 joshua.richards@saul.com amy.piccola@saul.com

PLAINTIFF'S NOTICE OF CROSS-APPEAL

Notice is hereby given that Plaintiff in the above-captioned case, John Doe, appeals to the United States Court of Appeals for the Sixth Circuit a portion of the Order (ECF No. 30) entered in this action on July 6, 2018, which granted in part and denied in part Plaintiff's motion for temporary restraining order and preliminary injunction. Specifically, Plaintiff only appeals the portion of the Court's order allowing for circumscribed cross-examination, by submitting written questions to the university decision-makers, during the "live" investigatory hearing conducted pursuant to the University's Statement of Student Rights and Responsibilities, in lieu of allowing "direct" (live) cross-examination of the claimant and other witnesses.

Dated: August 7, 2018

Respectfully submitted,
DEBORAH GORDON LAW
/s/ Deborah L. Gordon (P27058)
Elizabeth Marzotto Taylor (P82061)
Attorneys for Plaintiff
33 Bloomfield Hills Parkway, Suite 220
Bloomfield Hills, Michigan 48304
(248) 258-2500
dgordon@deborahgordonlaw.com
emarzottotaylor@deborahgordonlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2018, I electronically filed the foregoing document with the Clerk of the Court using the ECF system, which will send notification of such filing and service of said document to all parties through their counsel of record.

DEBORAH GORDON LAW

/s/Deborah L. Gordon (P27058) Attorneys for Plaintiff 33 Bloomfield Hills Parkway, Suite 220 Bloomfield Hills, Michigan 48304 (248) 258-2500 dgordon@deborahgordonlaw.com